GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Nagari Municipality - Allegations against Sri S. Balachandra Rao, the then Assistant Engineer, Nagari Municipality, Chittoor District – Departmental enquiry under A.P.Civil Services (CCA) Rules 1991 – Imposed penalty of stoppage of three Annual Grade Increments with cumulative effect - Recovery of an amount of Rs.1,65,313/- Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II-2) DEPARTMENT

G.O.RT.No. 771 Date:08 -12-2015

Read the following:

Ref:1.From CDMA, A.P. Hyd Lr.Roc.No.12617/2011/C2, dt.17.09.2011.
2.G.O.Rt.Nos. 1447, MA&UD(L1) Dept,dated 14.11.2011.
3.WSDs of Sri S. Bala Chandra Rao, Assistant Engineer, dt.12.12.2011.
4.G.O.Rt.No. 61, MA&UD(L1) Dept dt.11.01.2013
5.From Sri G.Srinivasa Rao, Enquiry Officer, Lr.Roc.No.1/GSR/TPG/2013, dt.30.03.2014 & 08.04.2015.
6.Govt.Memo No.14563/Vig.II-2/2011, dt.27.04.2015.
7.Written representation of Sri S. Bala Chandra Rao, former Asst.Engineer, Dt.10.06.2015.
8.Govt.Letter No.14563/Vig.II-2/2011, Dt.06.10.2015.
9.From the Principal Secretary, APPSC, AP, Hyderabad Lr.No.846/DC&C/3/2015, dt.04.11.2015.

O R D E R

In the reference 1st read above, the Commissioner & Director of Municipal Administration, A.P, Hyderabad has furnished draft articles of charges against Sri S. Balachandra Rao, the then Assistant Engineer and others, Nagari Municipality, Chittoor District in connection with committing certain financial irregularities in Municipal funds to a tune of Rs,4,55,593/- in Nagari Municipality, Chittoor District. Accordingly, charges have been issued vide reference 2nd read above against Sri S. Balachara Rao, the the Assist Engineer as follows:-

"Charge No.1

That he had colluded with the contractors and failed to ascertain the actual market price of the Tractors. Hydraulic Autos, Loader & Dozer before preparing the estimates and sending the same to the Municipal Commissioner, Nagari which is a common practice in the Municipality.

Charge No.2

That he had failed to follow the procedure and guide the Ccommissioner in purchasing the Tractors, Hydraulic Autos, Loader & Dozer through Tenders without insisting the same through e-procurement, as the estimates of all these items are more then one lakh, which lead, to poor participation of bidders in tenders for which financial loss caused to the Municipality.

Charge No.3

That he had colluded with the contractors and prepared the estimates for the purchase of (1) Two Sonalika Tractors with Tailors, (2) Two Hydraulic Autos, (3) One Loader for Tractor & (4) One Dozer for Tractor with the higher rates than the market rates, which leads the Municipality had paid excess amount to the contractor and misappropriate the Municipal Funds in Nagari Municipality.

Charge No.4

For his committed irregularities, the Municipality had paid excess amount in purchasing of 2 Sonalika Tractors with Tailor for an amount of Rs.13.88 lakhs, which is lesser than the rate of Rs.5.90 lakhs (approximately) each in the market and the Municipality had purchased 2 Hydraulic Autos & One Loader for Tractor for an amount of Rs.5.78 lakhs & Rs.4.28 Lakhs respectively, the Municipality had purchased One Tractor Dozer for an amount of Rs.13.99 lakhs in collusion with the contractor and paid excess amount then the actual market rate and committed irregularities and misappropriated the Municipal Funds in Nagari Municipality.

...2

Charge No.5

That he had procured Electrical material irregularly without taking prior administrative sanction from the Municipal Council, Nagari and made payment also without approval of the Municipal Council, Nagar.

Charge No.6

For the above mentioned commissions and omissions, he had exhibited lack of integrity, devotion to duty and conduct unbecoming of a member of service and thereby contravened Rules 3 of APCS (Conduct) Rules, 1964."

2. In the reference 3rd read above, Sri S. Balachandra Rao, the then Assistant Engineer, Nagari Municipality, Chittoor District while denying the charges framed against him has submitted his written statement of defence. Government after examining the written statement defences of charged officers and having found not satisfactory, appointed Enquiry Officer to inquire into the charges framed against him vide reference 4th cited.

3. The Enquiry Officer has submitted Enquiry Report to the Government holding all the six charges are proved against Sri S. Balachandra Rao, the then Assistant Engineer vide reference 5th cited. In the reference 6th cited, a copy of the Enquiry Report has been communicated to Sri S. Balachandra Rao, the then Assistant Engineer, Nagari Municipality, Chittoor District District for his written submission of representation within (15) days on the findings of the Inquiry Authority, duly show causing as to why a penalty shall not be imposed against him and also to show cause as to why proportionate share of 50% of revenue loss of Rs.2,05,658/- in respect of two number of tractors with trailors caused to the Municipality as per enquiry report, shall not be recovered from him and other charged officer.

4. In the reference 7th read above, Sri S. Balachandra Rao, the then Assistant Engineer, Nagari Municipality, Chittoor District District has submitted his written representation, duly denying the findings of the Inquiry Authority and requested to drop the proposed penalty.

5. In the reference 8th read above, Government have provisionally decided to impose a major penalty of stoppage of three Annual Grade Increments with cumulative effect and also recovery of an amount of Rs.1,65,313/- (proportionate share of misappropriate amount i.e., Rs.1,02,829 + 62,484) against Sri S. Balachandra Rao, the then Assistant Engineer, Nagari Municipality, Chittoor District District. Accordingly, the Principal Secretary, A.P.P.S.C, A.P, Hyderabad was addressed to convey their concurrence to the above proposal. In the reference 9th read above, the Principal Secretary, APPSC, Hyderabad has stated that the Commission has agreed to the above proposal of Government i.e., to impose the penalty of stoppage of three Annual Grade Increments with cumulative effect and also recovery of an amount of Rs.1,65,313/- against the Charged Officer.

6. Government after careful examination of the matter hereby impose a major penalty of stoppage of three Annual Grade Increments with cumulative effect against Sri S. Balachandra Rao, the then Assistant Engineer, Nagari Municipality for the charges held proved in terms of Rule-9 of APCS(CCA) Rules, 1991. Government also hereby order that an amount of Rs.1,65,313/-(Rupee One Lakh, Sixty Five Thousand, Three Hundred and Thirteen only) (proportionate share of misappropriate amount i.e., Rs.1,02,829 + 62,484) shall be recovered from Sri S. Balachandra Rao, the then Assistant Engineer, Nagari Municipality, Chittoor District District as proportionate share of amount as pecuniary loss caused by him to Nagari Municipality.

7. The Engineer-in-Chief(Public Health), A.P, Hyderabad shall take necessary further action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R. KARIKAL VALAVEN
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri S. Balachandra Rao, the then Assistant Engineer, Nagari Municipality, Chittoor District District through ENC(PH), AP, Hyderabad.
The Director of Municipal Administration, A.P, Hyderabad.
The Engineer-in-Chief(Public Health), A.P, Hyderabad
The RDMA, Anantapur.
The Municipal Commissioner, Nagari Municipality.
Copy to:
The Secretary to APVC, AP Secretariat, Hyderabad.
The Principal Secretary, APPSC, AP, Hyderabad.
The Principal AG(A&E), AP, Hyderabad.
Sc/Sf.

// FORWARDED :: BY ORDER //

SECTION OFFICER